

No. 24-12300

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

CITADEL SECURITIES LLC,
Petitioner,

v.

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,
Respondent.

ON PETITION FOR REVIEW OF A DECISION OF THE U.S. SECURITIES
AND EXCHANGE COMMISSION, AGENCY NO. 45715

**INTERVENOR-APPLICANTS
THE NASDAQ STOCK MARKET LLC, NASDAQ BX, INC.,
NASDAQ GEMX, LLC, NASDAQ ISE, LLC, NASDAQ MRX,
LLC, AND NASDAQ PHLX LLC'S
CERTIFICATE OF INTERESTED PERSONS**

Stephen J. Kastenbergl
Paul Lantieri III
BALLARD SPAHR LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
(215) 665-8500

*Counsel for Proposed Intervenors The
Nasdaq Stock Market LLC, Nasdaq BX,
Inc., Nasdaq GEMX, LLC, Nasdaq ISE,
LLC, Nasdaq MRX, LLC, and Nasdaq
PHLX LLC*

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

**CERTIFICATE OF INTERESTED PERSONS AND CORPORATE
DISCLOSURE STATEMENT**

Pursuant to Federal Rule of Appellate Procedure 26.1 and 11th Circuit Rule 26.1-1, Movants The Nasdaq Stock Market LLC, Nasdaq BX, Inc., Nasdaq GEMX, LLC, Nasdaq ISE, LLC, Nasdaq MRX, LLC, and Nasdaq PHLX LLC provide the following certificate of interested persons.

The undersigned counsel of record certify that the following listed persons and entities as described in Eleventh Circuit Rule 26.1-2 have an interest in the outcome of this case. These representations are made in order that the judges of this Court may evaluate possible disqualification or recusal.

1. **Ballard Spahr LLP**, counsel for Movants The Nasdaq Stock Market LLC, Nasdaq BX, Inc., Nasdaq GEMX, LLC, Nasdaq ISE, LLC, Nasdaq MRX, LLC, and Nasdaq PHLX LLC
2. **Barbero, Megan**, counsel for Respondent United States Securities and Exchange Commission
3. **Borse Dubai Limited**, owner of more than 10% of Nasdaq, Inc.'s shares
4. **BOX Exchange LLC**, subject to the challenged order as a member and participant of CAT LLC
5. **Cboe BYX Exchange, Inc.**, subject to the challenged order as a member and participant of CAT LLC
6. **Cboe BZX Exchange, Inc.**, subject to the challenged order as a member and participant of CAT LLC
7. **Cboe C2 Exchange, Inc.**, subject to the challenged order as a member and

- participant of CAT LLC
8. **Cboe EDGA Exchange, Inc.**, subject to the challenged order as a member and participant of CAT LLC
 9. **Cboe EDGX Exchange, Inc.**, subject to the challenged order as a member and participant of CAT LLC
 10. **Cboe Exchange, Inc.**, subject to the challenged order as a member and participant of CAT LLC
 11. **Cboe Global Markets, Inc. (BATS: CBOE)**, direct or indirect parent company of Cboe BYX Exchange, Inc., Cboe BZX Exchange, Inc., Cboe C2 Exchange, Cboe EDGA Exchange, Inc., Cboe EDGX Exchange, Inc., Inc., and Cboe Exchange, Inc.
 12. **Citadel Securities GP LLC**, parent company of Petitioner Citadel Securities LLC
 13. **Citadel Securities LLC**, Petitioner
 14. **Conley, Michael A.**, counsel for Respondent United States Securities and Exchange Commission
 15. **Consolidated Audit Trail, LLC**, a jointly owned limited liability company formed under Delaware state law through which the participants conduct the activities of the CAT NMS Plan
 16. **Financial Industry Regulatory Authority, Inc.**, subject to the challenged order as a member and participant of CAT LLC
 17. **Francisco, Noel J.**, Jones Day, counsel for Petitioner Citadel Securities LLC
 18. **Hardin, Tracey A.**, counsel for Respondent United States Securities and Exchange Commission
 19. **Hoyt, Joshua T.**, Jones Day, counsel for Petitioner Citadel Securities LLC
 20. **Intercontinental Exchange, Inc. (NYSE: ICE)**, indirect parent of New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., NYSE Chicago, Inc., and NYSE National, Inc.

21. **International Securities Exchange Holdings, Inc.**, sole LLC member of Nasdaq GEMX LLC, Nasdaq ISE LLC, and Nasdaq MRX LLC
22. **Investor AB (Nasdaq Stockholm: INVEB)**, owner of more than 10% of Nasdaq, Inc.'s shares
23. **Investors' Exchange, LLC**, subject to the challenged order as a member and participant of CAT LLC
24. **Jones Day**, counsel for Petitioner Citadel Securities LLC
25. **Kastenberg, Stephen J.**, Ballard Spahr LLP, counsel for Movants The Nasdaq Stock Market LLC, Nasdaq BX, Inc., Nasdaq GEMX, LLC, Nasdaq ISE, LLC, Nasdaq MRX, LLC, and Nasdaq PHLX LLC
26. **Lantieri, Paul**, Ballard Spahr LLP, counsel for Movants The Nasdaq Stock Market LLC, Nasdaq BX, Inc., Nasdaq GEMX, LLC, Nasdaq ISE, LLC, Nasdaq MRX, LLC, and Nasdaq PHLX LLC
27. **Long-Term Stock Exchange, Inc.**, subject to the challenged order as a member and participant of CAT LLC
28. **Lucas, Brinton**, Jones Day, counsel for Petitioner Citadel Securities LLC
29. **Matro, Daniel E.**, counsel for Respondent United States Securities and Exchange Commission
30. **MEMX LLC**, subject to the challenged order as a member and participant of CAT LLC
31. **Miami International Securities Exchange LLC**, subject to the challenged order as a member and participant of CAT LLC
32. **MIAX Emerald, LLC**, subject to the challenged order as a member and participant of CAT LLC
33. **MIAX PEARL, LLC**, subject to the challenged order as a member and participant of CAT LLC
34. **Nasdaq BX, Inc.**, Movant
35. **Nasdaq GEMX, LLC**, Movant
36. **Nasdaq, Inc. (Nasdaq: NDAQ)**, sole owner of LLC interest in The

- Nasdaq Stock Market LLC and Nasdaq PHLX LLC and parent company of Nasdaq BX, Inc.
37. **Nasdaq ISE, LLC**, Movant
 38. **Nasdaq MRX, LLC**, Movant
 39. **Nasdaq PHLX LLC**, Movant
 40. **New York Stock Exchange LLC**, subject to the challenged order as a member and participant of CAT LLC
 41. **NYSE American LLC**, subject to the challenged order as a member and participant of CAT LLC
 42. **NYSE Arca, Inc.**, subject to the challenged order as a member and participant of CAT LLC
 43. **NYSE Chicago, Inc.**, subject to the challenged order as a member and participant of CAT LLC
 44. **NYSE National, Inc.**, subject to the challenged order as a member and participant of CAT LLC
 45. **Rabbitt, Brian C.**, Jones Day, counsel for Petitioner Citadel Securities LLC
 46. **Roth, Yaakov M.**, Jones Day, counsel for Petitioner Citadel Securities LLC
 47. **The Nasdaq Stock Market LLC**, Movant
 48. **The Vanguard Group, Inc.**, owner of 10% or more of Cboe Global Markets, Inc.'s common stock as of June 30, 2023
 49. **Thoma Bravo UGP, LLC**, owner of more than 10% of Nasdaq, Inc.'s shares
 50. **United States Securities and Exchange Commission**, Respondent

No publicly traded company or corporation, other than those identified above or in the certificates of interested persons filed by Petitioner on July 17 and 19, 2024, has an interest in the outcome of this case. Movants will file an amended certificate of interested persons should they become aware of a change in interests that would affect the disclosures as required by Federal Rule of Appellate Procedure 26.1 and Eleventh Circuit Rule 26.1-4.

Date: August 14, 2023

/s/ Paul Lantieri III

Stephen J. Kastenberg

Paul Lantieri III

BALLARD SPAHR LLP

1735 Market Street, 51st Floor

Philadelphia, PA 19103

Telephone: 215.665.8500

Facsimile: 215.864.8999

kastenberg@ballardspahr.com

lantierip@ballardspahr.com

*Counsel for The Nasdaq Stock Market LLC,
Nasdaq BX, Inc., Nasdaq GEMX, LLC,
Nasdaq ISE, LLC, Nasdaq MRX, LLC, and
Nasdaq PHLX LLC*

CERTIFICATE OF SERVICE

I certify that, on August 14, 2023, I electronically filed the foregoing with the United States Court of Appeals for the Eleventh Circuit through the Court's CM/ECF system. Parties represented by registered CM/ECF users will be served by the CM/ECF system.

/s/ Paul Lantieri III

Paul Lantieri III